

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GERALD A. KELLOGG, An Individual,

Plaintiff,

v.

NIKE, INC., an Oregon Corporation and NIKE
USA, INC., an Oregon Corporation,

Defendants.

Case No. 8:07-cv-70

ORDER

Presently before the Court is Defendants' Motion to Dismiss its Counterclaim of Invalidity with Prejudice Pursuant to Fed. R. Civ. P. 41(a)(2) (ECF #284). The Court finds that the Defendants' have shown good cause and, therefore, the Motion is GRANTED.

IT IS SO ORDERED.

Dated: September 12, 2008

BY THE COURT:

s/ Joseph F. Bataillon
Chief District Judge